

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 74 – HB 153

February 14, 2012

SUMMARY OF AMENDMENT (004857): Prohibits an operator of a motorcycle from carrying a child whose feet are not on foot-pegs as a passenger. Creates a Class C misdemeanor for each offense. Authorizes any person charged with this violation to pay a \$50 fine in lieu of a court appearance. Prohibits the collection of litigation taxes, clerk fees, or court costs from the convicted. Requires that \$10 of the fine for first offenses be deposited to the General Fund and \$40 be deposited to the Child Safety Fund. Requires all \$50 paid for a second violation be deposited in the Child Safety Fund.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Revenue – \$500/General Fund
\$2,100/Child Safety Fund

Increase State Expenditures – Not Significant

Forgone Local Revenue – \$1,300
Increase Local Expenditures – Not Significant

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions applied to amendment:

- The Department of Safety (DOS) estimates 50 violations per year (45 first-time offenses and five second-time offenses).
- A recurring increase of state revenue to the General Fund of \$450 (45 first-time violations x \$10).
- A recurring increase of state revenue to the Child Safety Fund of \$2,050 [(45 first time violations x \$40) + (5 second time violations x \$50)].
- Any increase to state or local government expenditures for enforcement will be not significant.
- An average litigation tax of \$25 for all local court cases.

- Forgone local revenue of \$1,250 (50 violations x \$25) per year due to the prohibition of collecting any court fees or taxes that would otherwise be collected.
- A small increase in cases in the court system will result in state and local government expenditures for processing the cases. These expenditures are estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

/jaw